

C-13-11a
(Rev. 11/09)

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

In Re:)
Martha Anne Floyd) SS# xxx-xx-6646)
54 Joshua Lane))
Henderson, NC 27537))
) Case No. B-15-80841 C13D
))
Debtor(s))

NOTICE OF PROPOSED PLAN AND ORDER CONFIRMING PLAN
AND TIME FOR FILING OBJECTION THERETO

1. A summary of the plan proposed by the Debtor(s) is set forth in the attached copy of a proposed Order Confirming Plan in this case.

2. The plan will be confirmed after the time period for filing objections has expired unless a timely objection is filed. There will be no hearing on confirmation unless a timely objection is filed.

3. Written, detailed objections must be filed within 28 days of the date of this notice with the Clerk of Court, U.S. Bankruptcy Court, Post Office Box 26100, Greensboro, NC, 27420-6100. With copies served on (1) Richard M. Hutson II, Post Office Box 3613, Durham, NC; (2) the attorney for the Debtor(s); and (3) the Debtor(s). If the objecting party is a corporation, the objection must be filed by legal counsel admitted to practice in this District.

4. In the event a timely objection is filed, a hearing on the objection to confirmation and on confirmation of the proposed plan will be held on February 4, 2016, at 11:00 a.m. in Courtroom, Venable Center, Dibrell Building, 280, 302 East Pettigrew Street, Durham, NC. The party objecting must appear at this hearing.

5. If an objection is filed, the party objecting, the Debtor(s) and the attorney for the Debtor(s) are required to appear at the hearing on confirmation.

6. There will be no further mailing of the Order Confirming Plan to affected parties unless there is a change in the attached proposed Order Confirming Plan.

DATE: December 15, 2015

Office of the Clerk
Reid Wilcox, Clerk

C-13-7a
(Rev. 01/12)

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

In Re:)	ORDER CONFIRMING PLAN
Martha Anne Floyd	SS# xxx-xx-6646) CHAPTER 13
54 Joshua Lane)	
Henderson, NC 27537)	
)	Case No. B-15-80841 C13D
)	
Debtor(s))	

This case came before the Court, after notice and opportunity for hearing, for confirmation of the Chapter 13 plan proposed in this case; and IT APPEARING to the Court as follows:

- I. The Trustee in this case is Richard M. Hutson II, Standing Trustee, Post Office Box 3613, Durham, North Carolina 27702;
- II. The attorney for the Debtor(s) is Donald D. Pergerson;
- III. Under the final plan (the "Plan") as proposed:

A. Plan Payments

- 1. The Debtor(s) is/are to make monthly payments to the Trustee which are to be disbursed by the Trustee in accordance with the Plan and this Order;
- 2. The monthly plan payment to the Trustee is \$387.00 beginning 9/11/2015;

B. Administrative Costs

- 1. **Attorney Fees.** The Attorney for the Debtor(s) is allowed the base fee of \$3,700.00. The Attorney has received \$0.00 from the Debtor(s) pre-petition and the remainder of the base fee will be paid by the Trustee as funds are available.
- 2. **Trustee costs.** The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses.

C. Priority Claims

Any timely filed claims entitled to priority under 11 U.S.C. §507, on behalf of the entities listed below, will be paid in full in deferred cash payments unless otherwise indicated.

- 1. Internal Revenue Service
- 2. North Carolina Department of Revenue
- 3. Vance County Tax Collector

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D. Secured Claims**1. Secured Claims To Be Paid In Full - Real Property**

Creditor & Property	Claim Filed (Y/N)	Amount of claim	Monthly Payment	Interest Rate
David A. Whitmore 54 Joshua Lane Henderson, NC	N	Unknown	To be determined	5.25%
Vanderbilt Mortgage & Finance 54 Joshua Lane Henderson, NC	Y	\$2,024.51	\$45.10	5.25%
Vance County Tax Collector 54 Joshua Lane Henderson, NC	Y	\$4,688.89	\$103.38	9%

E. General Unsecured Claims Not Separately Classified.

General unsecured claims not separately classified will be paid as funds become available after payment of costs of administration. The estimated dividend to general unsecured claims is 0%.

F. Special Provisions

In the event the debtor(s) shall default in payments to the Standing Trustee for a period of 30 or more days, then in such event, the debtor(s) shall be automatically dismissed without further notice or hearing.

- G.** The Debtor will pay **THE GREATER OF** (i) the amount necessary to pay all allowed costs of administration, priority and secured claims in full, with the exception of continuing long term debts, OR (ii) a minimum of 36 monthly plan payments, OR (iii) the amount necessary to pay all allowed secured claims as scheduled for payment through disbursements by the Trustee plus \$646.00 to unsecured creditors, including priority creditors, cost of administration, and general unsecured claims due to the liquidation value of the estate, with the plan to be reviewed in 6 months and periodically thereafter for plan payment adjustments;

- H.** The terms and provisions of the Standing Order dated May 28, 2015, are incorporated in this Order and are available on the Court's website at www.ncmb.uscourts.gov.

- I.** **IT FURTHER APPEARING** to the Court that the Plan complies with the requirements of 11 U.S.C. §1325; therefore, it is

ORDERED that the Plan is confirmed.

END OF DOCUMENT